

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry, claims 1-21 are pending in the application, with claims 1, 6, and 15 being the independent claims.

Based on the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Allowable Subject Matter

In the Office Action, the Examiner sustains the allowance of claims 6-21. (Paper No. 20041015, page 2). Applicant appreciates the Examiner's allowance of these claims.

Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner rejects claims 1, 4, and 5 under 35 U.S.C. § 102(a), as allegedly being anticipated by U.S. Patent 6,802,053 to Dye *et al.* (herein referred to as "Dye"). (Paper No. 20041015, page 2). Applicant respectfully traverses.

First, as a matter of formality, it should be noted that the filing date of Applicant's patent application (i.e., July 31, 2000) precedes the date that Dye was patented or published (i.e., October 5, 2004). Therefore, the statutory basis for the Examiner's rejection (i.e., 35 U.S.C. § 102(a)) is erroneous.

Nonetheless, Dye fails to anticipate Applicant's invention for the following reasons. For the Examiner's convenience, independent claim 1 is reproduced below:

1. A system for providing a client with access to remote graphics rendering resources at a server, *the server comprising:*

a graphics application, at the server, wherein said graphics application receives commands from the client; and

a remote rendering control system, at the server, that receives graphics instructions from said graphics application, generates modified graphics instructions on the basis of said graphics instructions, and outputs said modified graphics instructions to the remote graphics rendering resources.

Dye does not disclose Applicant's invention, as recited in independent claim 1.

For example, Dye does not disclose a "server comprising...a remote rendering control system, at the server, that receives graphics instructions from [a] graphics application [at the server], generates modified graphics instructions on the basis of said graphics instructions, and outputs said modified graphics instructions to the remote graphics rendering resources." Dye does not explicitly disclose "rendering". Moreover, Dye does not disclose "remote graphics rendering resources" or a "remote rendering control system."

On the contrary, Dye describes a graphical programming system than enables client computers to connect to a server and receive a graphical program user interface panel(s) for providing input to and/or displaying output from a graphical program that is executing on the server (see Abstract). Dye provides "no" discussion of any component or process that renders graphics.

Dye teaches that a client-side browser application can invoke a browser plug-in to interpret and display the user interface panel(s) (see col. 13-14, esp. col. 14, lines 1-18). Although Applicant does not concede that Dye's system renders graphics, however, if Dye's system does render graphics, Dye's graphics are most likely rendered, if at all, by a client-side application (e.g., the "browser plug-in"). This reasoning is supported by

the teachings of another patent the Examiner cited against the Applicant in the previous Office Action, [namely, U.S. Patent 6,446,192 to Narasimhan *et al.* (herein referred to as “Narasimhan”). (Paper No. 14, page 1)]. Narasimhan describes a “Java applet...[that provides] the user of the client [with the ability] to remotely monitor and/or control the remote equipment...the compiled applet is then programmed into the network interface chip memory...[and] upon connection, the device’s applet is downloaded into the client’s JVM and renders the control panel on the client’s screen.” (See col. 9, lines 1-13). Therefore, Narasimhan’s Java applet is executed at the client-side, and renders a “control panel” on the client’s screen. Similarly to Narasimhan, Dye most likely uses a client-side application or applet (via its “browser application” or “browser plug-in”) to interpret the instructions to render any graphics, *if at all*.

Therefore, Applicant respectfully submits that Dye does not disclose Applicant’s invention as recited in independent claim 1. Dependent claims 2-5 depend from claim 1, and therefore, are patentable over Dye for at least the reasons stated above, in addition to the features recited therein. Applicant respectfully requests reconsideration and withdrawal of the Examiner’s rejection of the aforesaid claims, and allowance thereof.

Rejections under 35 U.S.C. § 103

a. Dye-Scholl Rejection

In the Office Action, the Examiner rejects claim 2 under 35 U.S.C. § 103, as allegedly being obvious over Dye in view of U.S. Patent 6,145,001 to Scholl *et al.* (herein referred to as “Scholl”). (Paper No. 20041015, page 4). Applicant respectfully traverses.

Dye and Scholl, taken alone or in combination, do not teach or suggest Applicant's invention, as recited in claim 2. Claim 2 depends from independent claim 1, and therefore, is patentable over Dye for at least the reasons stated above. For example, Dye does not teach or suggest a "server comprising...a remote rendering control system, at the server, that receives graphics instructions from [a] graphics application [at the server], generates modified graphics instructions on the basis of said graphics instructions, and outputs said modified graphics instructions to the remote graphics rendering resources."

Scholl fails to cure the defects of Dye since it also does not teach or suggest a "server comprising...a remote rendering control system, at the server, that receives graphics instructions from [a] graphics application [at the server], generates modified graphics instructions on the basis of said graphics instructions, and outputs said modified graphics instructions to the remote graphics rendering resources." Scholl provides no discussion of any component or process for "rendering". As such, Applicant respectfully requests reconsideration and withdrawal of the Examiner's rejection of the aforesaid claims, and allowance thereof.

b. Dye-Perlman Rejection

In the Office Action, the Examiner rejects claim 3 under 35 U.S.C. § 103, as allegedly being obvious over Dye in view of U.S. Patent 6,424,342 to Perlman *et al.* (herein referred to as "Perlman"). (Paper No. 20041015, page 4). Applicant respectfully traverses.

Dye and Perlman, taken alone or in combination, do not teach or suggest Applicant's invention, as recited in claim 3. Claim 3 depends from independent claim 1,

and therefore, is patentable over Dye for at least the reasons stated above. For example, Dye does not teach or suggest a “server comprising...a remote rendering control system, at the server, that receives graphics instructions from [a] graphics application [at the server], generates modified graphics instructions on the basis of said graphics instructions, and outputs said modified graphics instructions to the remote graphics rendering resources.”

Perlman fails to cure the defects of Dye since it also does not teach or suggest a “server comprising...a remote rendering control system, at the server, that receives graphics instructions from [a] graphics application [at the server], generates modified graphics instructions on the basis of said graphics instructions, and outputs said modified graphics instructions to the remote graphics rendering resources.” Perlman provides no discussion of any component or process for “rendering”. As such, Applicant respectfully requests reconsideration and withdrawal of the Examiner’s rejection of the aforesaid claims, and allowance thereof.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Appl. No. 09/629,458

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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